WRITTEN ANSWERS TO STARRED AND UNSTARRED QUESTIONS SET FOR 21ST JULY, 2003*

Funds Provided to NGOs Under Welfare Schemes

*1. SHRI SATISH PRADHAN: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government have received a large number of complaints about the way same NGOs got money under different kind of welfare schemes which are not producing good results; and

(b) if so, Government's response thereto and the steps taken or proposed to be taken in this regard?

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (DR. SATYANARAYAN JATIYA): (a) and (b) In such cases, the facts are ascertained. Wherever the allegation is substantiated on verification, action is taken to issue a show cause notice to the NGO, ordering recovery of the amount that has been misused and for blacklisting the organization.

Sex Determination Tests

*2. SHRI MANOJ BHATTACHARYA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it has come to Government's knowledge that despite the enactment of the stringent laws banning the use of sex determination tests including the use of pre-conception technologies, there is open advertisement occasionally in various magazines inviting the eligible couples to choose the sex of their unborn child;

(b) if so, the details thereof and Government's reaction thereto; and

(c) the steps taken/proposed to be taken to tackle such flagrant violation of legal provision?

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*The sitting of the Rajya Sabha on Monday, the 21st July, 2003 was adjourned as a mark of respect to the memory of Shri Korambayil Ahammed Haji and Shri Bhagatram Manhar, sitting members. Answers to Questions put down in the lists for that day were laid on the Table of the House on Tuesday, the 22nd July, 2003.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRIMATI SUSHMA SWARAJ): (a) to (c) Yes, Sir. Some cases of advertisements about the facilities for selection of sex, before or after conception of unborn child, have come to light in the States of Punjab, Haryana, Delhi and Maharashtra. The authorities concerned have initiated action against the advertisers. The Delhi Government has launched prosecution against a weekly magazine 'India Abroad', a monthly magazine 'Life Positive', and dailies like, Times of India and Punjab Kesari for publishing such advertisements in violation of section 22 of the Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act. The institutions/clinics/doctors issuing such advertisements have also been made parties/accused to the prosecution. Government of Maharashtra, Punjab, Haryana and certain other States have also launched similar prosecutions. While hearing a Public Interest Litigation (PIL) filed by Centre for Enquiry into Health & Allied Themes CEHAT and Others on 7th July, 2003, the Supreme Court of India directed Government of Maharashtra to take appropriate action against Malpani Infertility Clinic for issuing advertisement on web-site and file compliance report within three weeks.

All States/UTs have been advised to implement the law strictly in letter and spirit and launch prosecution against violators thereof. To strengthen the implementation of the Act, regional workshops and training programmes are being organised to sensitize the Appropriate Authorities appointed under the Act. A National Inspection and Monitoring Committee has also been constituted to monitor the implementation of the Act through field visits. Various activities are also being undertaken regularly to create awareness through Radio, Television, newspapers, hoardings etc. in various States/UTs. Amendments have been made to the Act and Rules with effect from 14.2.2003 to bring within their ambit the advertisements made on Internet about the facilities of pre-natal detection/disclosure of sex of foetus, pre-conception sex selection by any means-scientific or otherwise. Other amendments made to the Act, *inter alia*, include -

1. bringing of the technique of pre-conception sex selection within the ambit of the Act;

2. bringing of the use of ultrasound machines within the purview of

the Act more explicitly so as to curb their misuse for detection and disclosure of sex of the foetus;

3. further empowerment of the Central Supervisory Board for monitoring the implementation of the Act;

4. introduction of State level Supervisory Board and multi member State Appropriate Authority for monitoring and reviewing the implementation of the Act in States/UTs;

5. more stringent punishments so as to serve as a deterrent for minimizing violations of the Act;

6. vesting the Appropriate Authorities with the powers of Civil Court for search, seizure and sealing the machines, equipments and records of the violators of law including sealing of premises and commissioning of witnesses;

7. mandatory maintenance of records of use of ultrasound machines and other equipments capable of detection of sex of foetus and of tests and procedures leading to pre-conception selection of sex;

8. regulating sale of ultrasound machines to the clinics registered under the Act; and

9. indications for which ultrasound can be conducted during pregnancy for the well being of the pregnant woman and her foetus.

Expansion of health care in Orissa

*3. SHRI B.J. PANDA:
MS. PRAMILA BOHIDAR:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that Orissa Government has submitted a proposal of Rs. 502 crores for expansion of health care;

(b) if so, the details of the project;

(c) whether the State Government has also taken up the issue of